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EXAMINER

STERRETT, JONATHAN G

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3623

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/071,615	Applicant(s) STOXEN ET AL.	
	Examiner Jonathan G. Sterrett	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
 4a) Of the above claim(s) 20-38 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This **Final Office Action** is responsive to the amendment of 14 February 2007. **Claims 1-19** are pending in the application. **Claims 20-38** are withdrawn.

Response to Amendment

2. The 112 2nd rejection of Claim 19 is withdrawn in response to the amendment to the claim.

Response to Argument

3. The applicant's arguments have been fully considered but are not persuasive.
4. The applicant argues on page 11 with respect to Claim 19 that McDonough fails to teach the claimed limitation of using a system to select one of a plurality of worker handler systems that invoke a worker utility to perform product of service fulfillment for a client. In support of this argument the applicant argues McDonough does not teach that the handler systems invoke "business logic" to provide product and service fulfillment.

The examiner respectfully disagrees.

McDonough teaches "handler systems" as recited by the amended claims, where this limitation is met by the desktop systems used by call center agents to handle calls. These desktops (i.e. "handler systems") invoke logic in the form of software objects that are running where these objects provide the functionality of providing service or the opportunity to sell to the customer. Software objects are "business logic", because they

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are software code, i.e. are a logic-based construct, and in this case, related to business, because they are used in the context of a call center.

The examiner further notes that the term "product or service specific handler" as applied to "system", is nonfunctional descriptive material and does not further distinguish the claim. Applying a label to the element "system" without citing that the system actually performs "product or service specific" handling only serves to label the system as such since this "system" is not positively recited as performing the functionality suggested by the label. The examiner notes that product or service fulfillment is cited as being performed in the claim by a worker utility, and not specifically by this system.

McDonough teaches that a VRU acting in concert with a CTI interface (see Figure 1) selects a employee work station (i.e. a "handler" system") and transfers the event request (i.e. a customer contact or call) to the employee workstation.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. **Claims 1-19** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding **Claims 1, 5 and 19** utilize the term "configured to" in the body of the claim. This language makes the claim indefinite because it is not clear whether the limitations following are positively recited or not. Therefore the claims are indefinite.

Claims 2-4 and 6-18 depend on Claim 1 above, and are therefore indefinite for at least the reasons that Claim 1 is indefinite.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 1-16, 18 and 19** are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonough US 6,070,142 (hereinafter **McDonough**).

Regarding **Claim 1**, McDonough teaches:

a customer interface system configured to accept event request data from at least one customer; and

Figure 3 #320, VRU's are a client interface configure to accept request data from customers calling in (i.e. client's)

a computerized account processing system comprising:

a plurality of product or service-specific handler systems, wherein said computerized account processing system communicates with said customer

interface system and is configured to facilitate product or service fulfillment for said customer,

column 3 line 5-10, a call center provides a processing system to communicate with calls that are coming in (i.e. contacts, since McDonough teaches that contacts can come in from a variety of different sources – see Figure 1 “Access Method) – these contacts are handled by a client interface system that is configured to facilitate product and service fulfillment, since McDonough teaches in column 4 line 20-24 that a variety of service options (including where the customer is offered a product to buy – see column 4 line 50).

to select one of said plurality of product or service-specific handler systems to process said event request from said customer,

column 12 line 17-21, selecting a specific employee to handle a call and transferring that call to that employee’s desktop is selecting a handler system to process the event request from the client (i.e. the customer).

and to transmit said event request data to the selected product or service-specific handler system,

column 12 line 55-60, the customer contact is transmitted to the selected product or service-specific handler system (i.e. the desktop associated with the specific employee who is going to be handling the call).

wherein said plurality of product or service-specific handler systems are configured to perform product or service-specific business logic related to said

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event request from said client in response to receiving the transmitted event request data,

column 10 line 10-15, the creation of CORBA objects during a session with a particular employee's desktop who is handling a call (i.e. the handler system) are business logic that is performed in response to the employee receiving the contact and providing product sales and service to the customer.

**Wherein said computerized account processing system further comprises:
at least one worker utility invoked by said selected handler system to
perform tasks associated with said event request to perform the product or
service fulfillment for said customer.**

Column 11 line 1-5, the call center employee using their desktop (i.e. the handler system) can invoke a change address operation on the customer object (i.e. perform a task associated with the event request) – this is performing a service fulfillment for the client.

The examiner notes that the term “product or service specific handler” as applied to “system” is nonfunctional descriptive material. It is a label that is applied to the “system”. The claim does not recite that this “product or service specific handler” system provides a product or a service – actually the “handler” system invokes a “worker utility” to positively recite product or service fulfillment, thus this label is non-functional descriptive material and does not add patentable weight to the claim.

McDonough does not teach where the customer interface is a client (i.e. a client-server interface).

However, it is old and well known in the art for a client-server interface to be used for a customer interface (i.e. over the web). This provides for the benefit of utilizing the widespread use of the internet to handle customer inquiries and service.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of McDonough, regarding using a customer interface to handle customer inquiries and requests, to include the step of handling the customer inquiries and requests using a client-server interface, because it would provide the benefit of utilizing the widespread accessibility provided by the internet.

Regarding **Claim 2**, McDonough teaches providing servers to provide access to customers over the web (see column 6 line 59-61). The use of servers to provide service to the customer also include for fax, email and video. McDonough does not teach the use of a server to run the application software for account processing.

The use of servers to run applications is old and well known in the art. Servers are known to provide a standardized and reliable platform for which to run applications.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of McDonough, regarding using a computer system to provide customer service, to include the step of running the system using a server, because it provide a reliable way to provide customer service over the internet.

Regarding **Claims 3 and 4**, McDonough teaches employees using computers and using servers as the hardware platform for providing service to customers.

McDonough does not teach where:

said application server is a J2EE-compliant Java Application Server, as per Claim 3; and wherein said handler is a software module deployed as a Java Object, as per Claim 4.

However, using Java as a programming language (i.e. to create Java Objects), as per Claim 4; and using a J2EE-compliant Java Application Server, as per Claim 3, are known standards in the art of computing that provide the benefit of reliability in utilizing the Java (and associated J2EE hardware standard).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of McDonough, regarding using servers to provide customer service, to include the steps using Java as a programming language (i.e. to create Java Objects), as per Claim 4; and using a J2EE-compliant Java Application

Server, as per Claim 3, because it would provide a reliable hardware and software application for providing customer service.

Regarding **Claim 5**, McDonough teaches:

a dispatcher configured to determine which one of said plurality of product or service-specific handler systems will process said event request from said client, and to transmit said event request data to the determined product or service-specific handler system.

Figure 3 #360, the routing engine directs customer requests for service (i.e. event requests) to the appropriate handler system (i.e. the call center employee's desktop). See also column 7 line 33-35.

Regarding **Claim 6**, McDonough teaches:

An interface, wherein at least one worker is configured to perform a specific task by communicating with said interface.

Column 8 line 25-30, calls routed to a worker use a workstation interface to handle the calls (i.e. perform a specific task by handling the call, since the call is routed to the worker based on the kind of call it is).

Regarding **Claim 7**, McDonough teaches providing a loan to a customer (column 12 line 45-50 but does not teach the worker interfacing with any one of the following to do so:

credit bureaus, databases, new card services, card authorization services, general accounts system, and new card services.

However, it is old and well known in the art to interface with a credit bureau for processing a loan for a customer to determine if the customer is creditworthy.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of McDonough, regarding a worker providing customer service to upsell a new loan to a customer, to have the worker interface with a credit bureau as part of the upsell task, because it would ensure the customer is creditworthy for the new loan.

Regarding **Claim 8**, McDonough teaches:

wherein said selected handler is configured to facilitate a new account application process.

Column 12 line 45-50, routing calls to CSR's based on upsell opportunities for a new loan, facilitate a new account application process for that loan.

Regarding **Claim 9**, McDonough teaches:

wherein said selected handler is configured to execute fulfillment logic to deliver said products or services.

Column 7 line 35-40, the routing rules (i.e. fulfillment logic) route a call based on the customers implied or expressed need (i.e. need for products or services).

Regarding **Claim 10**, McDonough teaches:

wherein said selected handler is configured to facilitate an authentication of a user.

Column 10 line 64-68, customers calling in identify themselves to the VRU. – see also column 7 line 35-40, the DNIS and ANI information along with customer profile information is used to authenticate the customer. –see also column 8 line 30, the customer's identify has been established due to an authentication.

Regarding **Claim 11**, McDonough teaches determining a customer's identity, as discussed above. McDonough also teaches that customers can request services and products over the internet. McDonough does not teach:

wherein said selected handler is configured to facilitate a sign-on process for online users.

It is old and well known in the art to require user's to sign-on (i.e. a sign on process) using a user ID and password to authenticate their identity. Using a password and ID in combination is known to provide a secure way to authenticate a customer (i.e. facilitate a sign-on process).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of McDonough, regarding facilitating a sign-on process using a password/ID combination, because it would authenticate the customer attempting to logon to their account over the internet.

Regarding **Claim 12**, McDonough teaches:

said selected handler is configured with communication protocols for communicating with the workers.

Column 9 line 55-60, CORBA is used for messaging in handling calls (i.e. a communication protocol for communicating with the workers to handoff calls and requests).

Regarding **Claim 13**, McDonough teaches:

wherein said at least one worker utility performs a discrete unit of work to perform a specific task.

Column 11 line 65-column 12 line 4, requests are routed to workers based on the resource requirements for that particular request (i.e. the discrete unit of work to perform the specific task associated with a customer. The system uses a discrete unit of work to handle a task associated with a request because the system is balancing requests with resources – see column 12 line 65- column 13 line 3). As noted above, a

worker utility updating a customer's address is a discrete unit of work, i.e. updating text fields noting a customer's new address.

Regarding **Claim 14**, McDonough teaches:

wherein said event request comprises an event selected from a group of events consisting of: online banking account set-up, credit bureau access, epay account set-up, brokerage account set-up, membership banking set-up, user authentication, **electronic payment**, savings account set-up, checking account setup, and rewards program setup.

Column 12 line 45-50, the customer is contacting to pay off a loan (i.e. an electronic payment). The customer who has a checking account may be sold other services.

Column 9 line 48-50, customers request a loan payment (i.e. an electronic payment).

Regarding **Claim 15**, McDonough teaches:

At least one worker utility comprises one or more of the following worker utilities:

an email worker;

Figure 3 #358 "email server" is an email worker.

a CBI worker;

an application specific worker;

a profile worker; and

column 6 line 1-10, updating a customer's address invoking a utility is a profile worker, i.e. the customer's profile.

a data capture worker.

Regarding **Claim 16**, McDonough teaches routing service requests to handle customers who may be interested in a new loan, as discussed above. McDonough does not teach where the worker handling the customer request is a CBI (i.e. Credit Bureau Interface):

However, it is old and well known in the art to interface with a CBI to determine if a customer is creditworthy when the customer is applying to borrow money (i.e. a loan).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of McDonough about providing an upsell opportunity to a customer for a new loan, to include the step of the worker interfacing with a CBI, because it would provide for a determination of the customer's creditworthiness for the new loan.

Regarding **Claim 18**, McDonough teaches:

further comprising a web server user interface configured to interact with said client interface system.

Figure 3 #354, customers may place a service request through a web server.

Regarding **Claim 19**, McDonough teaches the limitations above except for:

at least two product or service-specific handlers, at least one of said at least two product or service-specific handlers being a test handler configured to test for component availability and report the status of the component availability to at least one of said multiple clients;

Column 11 line 60-61, Testing and reporting status to a multiple clients – the examiner notes that the terms “for component availability” is intended use of the limitation “test handler”.

at least two workers configured to process one or more tasks to facilitate said product or service request;

Figure 3 #390, the quality performance center (i.e. a performance tracking worker) tracks the performance of one or more tasks (see also column 11 line 25-30). The tracking of the performance of the call center facilitates the event requests in that it helps management make improvements so that customer contact performance is improved –see column 11 line 32.

Figure 3 #350 & #354, the fax and web servers are workers that are configured to handle requests (e.g. fax documents) to facilitate calls (i.e. facilitate event requests).

Tracking the performance of one or more tasks,

Figure 3 #390, the quality performance center (i.e. a performance tracking worker) tracks the performance of one or more tasks (see also column 11 line 25-30).

Wherein said at least two product or service specific handlers are configured to process said product or service requests received from multiple

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clients by invoking at least one of said at least two workers to perform tasks associated with said product or service event requests;

Column 11 line 1-10, call center employees (i.e. product or service specific handlers) process requests by invoking workers (i.e. objects) to perform various tasks associated with handling those requests. In this example it is updating a customer's address.

McDonough teaches using workers (i.e software objects providing utilities) and tracking performing, but does not teach where the objects that perform the utilities also track the performance of tasks as per:

wherein at least one of said workers is a performance tracking worker configured to track the performance of one or more tasks

However, official notice is taken that it is old and well known in the art of object computing to use objects to track system performance. This provides an easy to use way to track the performance of other objects that are performing work by using another object that measures.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of McDonough regarding using objects to perform

tasks, to include the step of using an object to perform performance tracking because ti would provide an easy to use and implement way to track system performance.

9. **Claim 17** is rejected under 35 U.S.C. 103(a) as being unpatentable over McDonough US 6,070,142 (hereinafter **McDonough**) in view of Cunningham US 6,014,645 (hereinafter **Cunningham**).

Regarding **Claim 17**, McDonough teaches upselling customers on new products they may be interested in, including new loans. McDonough teaches using software objects (i.e. worker utilities) as discussed above, but McDonough does not teach:

said CBI worker utility is configured with suitable protocols for communicating with a CBI server; wherein said CBI server interfaces with at least one credit bureau.

Cunningham teaches:

said CBI worker is configured with suitable protocols for communicating with a CBI server;

column 3 line 28-33, the user applies for credit at a website, where the server hosting the website communicates with a card service server (i.e. a CBI server)

wherein said CBI server interfaces with at least one credit bureau.

Column 3 line 28-33, the card service server interfaces with the servers of other credit bureaus (i.e. at the Credit Bureau Interface) to determine the user's creditworthiness.

McDonough teaches that users may request service from an internet portal.

Cunningham's invention provides for matching credit cards with users who apply over the internet by providing for a credit bureau interface. Cunningham's invention, since it operates over the internet, provides for significant savings over other methods of a user securing a credit card, since it is able to access a number of financial institutions for a given user (column 1 line 25-30). Cunningham's invention also increases customer satisfaction by providing them with a number of credit card offers to choose from (column 2 line 3-5, the examiner interprets customers being able to learn of and reviewing their options as increasing their customer satisfaction, since it is improving their selection process).

McDonough and Cunningham both address utilizing computer networks to provide customer service through a computerized system running on those networks, thus both McDonough and Cunningham are analogous art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of McDonough, regarding offering an upsell loan to a customer, to include the automated credit bureau interface of Cunningham, because it would automate the locating of various credit card offers for a customer and thus improve their customer satisfaction at being able to better select a credit card.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan G. Sterrett whose telephone number is 571-272-6881. The examiner can normally be reached on 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Beth Van Doren
Beth Van Doren
Primary Examiner
AU 3623